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Hon. Thomas S. Zilly

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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

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MARY ROSE DIEFENDERFER,

NO. C08-0958-TSZ

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Plaintiff,

STIPULATION AND ORDER AMENDING  
JUDGMENT

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v.

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RAY LaHOOD, SECRETARY OF U.S.  
DEPARTMENT OF TRANSPORTATION,

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Defendant.

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STIPULATION

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On January 31, 2011, the jury in the above-referenced action issued a verdict awarding Plaintiff Mary Rose Diefenderfer \$325,000.00 in damages for four of her claims of retaliation brought under Title VII of the Civil Rights Act of 1964. Dkt. No. 147. On February 10, 2011, the Court issued a judgment consistent with the jury's verdict. Dkt. No. 151. However, because Title VII contains a statutory cap on damages in the amount of \$300,000.00, 42 U.S.C. § 1981a(b)(3)(D), the parties to the above-referenced action, by and through their undersigned counsel of record, hereby STIPULATE, AGREE, and JOINTLY REQUEST

1 the Court to issue an Order amending the Judgment to reduce Plaintiff's damages to the  
2 statutory cap of \$300,000.00.

3 Stipulated to and presented by this 17<sup>th</sup> day of February, 2011.  
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6 LAW OFFICES OF  
7 JUDITH A. LONNQUIST, P.S.  
8

9 /s/ Judith A. Lonnquist  
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16 /s/ Mary Dryovage  
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21 /s/ Marion J. Mittet  
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24 Attorneys for Defendant

## ORDER

The parties having stipulated and agreed, it is hereby SO ORDERED. The award of damages in the Court's Judgment issued on February 10, 2011 (Dkt. No. 151) is hereby reduced to \$300,000.00.

DATED this 1st day of March, 2011.

Thomas S. Zilly

Thomas S. Zilly  
United States District Judge